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99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPT. 99-508
Part 1

HR 1354

REQUIRING THAT ANY UNITED STATES GOVERNMENT SUPPORT FOR MILITARY OR PARAMILITARY OPERATIONS IN ANGOLA BE OPENLY ACKNOWLEDGED AND PUBLICLY DEBATED

ORIGINAL

MARCH 25, 1986.—Ordered to be printed

Mr. HAMILTON, from the Permanent Select Committee on Intelligence, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 4276 which on February 27, 1986, was jointly referred to the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence]

The Permanent Select Committee on Intelligence, to whom was referred the bill (H.R. 4276) to require that any United States Government support for military or paramilitary operations in Angola be openly acknowledged and publicly debated, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

COMMITTEE ACTION

On February 27, 1986, H.R. 4276 was introduced by Mr. Hamilton, Mr. Stokes, Mr. Beilenson, Mr. Kastenmeier, Mr. Roe, Mr. Brown, Mr. McHugh, and Mr. Dwyer, Members of the Permanent Select Committee on Intelligence. The bill was jointly referred to the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence. On Wednesday, March 12, 1986, the Committee held a hearing in executive session to receive the testimony of administration witnesses concerning H.R. 4276. On Thursday, March 13, the Committee held a public hearing and received the testimony of outside witnesses on H.R. 4276. The witnesses were Dr. Richard E. Bissell, Editor, Washington Quarterly; The Honorable Richard M. Moose, Shearson Lehman/American Express, formerly Assistant Secretary of State for African Affairs; Professor Robert Rotberg, Professor of Political Science and History, Massachusetts Institute of Technology; and Mr. Dimitri K. Simes, Carnegie Endowment Institute for International Peace.

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On Tuesday, March 18, the Committee met to consider H.R. 4276 in executive session. During the mark-up, by a recorded vote of 6 to 10, the Committee rejected an amendment in the nature of a substitute offered by Mr. Cheney. Thereafter, the Committee ordered H.R. 4276 reported by a recorded vote of 10 to 6.

DISCUSSION

The purpose of H.R. 4276 is to require that any United States Government support for military or paramilitary operations in Angola be the openly acknowledged and publicly debated policy of the United States. Thus, the bill has two basic premises: (1) that providing assistance to support military or paramilitary operations in Angola, specifically to aid the nationalist insurgency of the Union for the Total Independence of Angola (UNITA), is an important foreign policy decision, and (2) that this decision is a matter of significant public debate and disagreement. Based on its observations and testimony elicited during its hearings, it is the view of the Committee that any such assistance should not proceed unless the President publicly requests such assistance and the Congress votes to provide assistance.

In approving H.R. 4276, the Committee recognizes that the introduction of a bill of the nature of H.R. 4276 and the mechanism that it establishes—requiring public acknowledgment of a proposed program of assistance to military or paramilitary operations in Angola and a public vote on that program—are in themselves unusual. The Committee considered carefully whether H.R. 4276 represents an unwarranted restriction on the President's ability to initiate covert action operations in Angola. The Committee also sought to handle the issue of aid to UNITA in such a way as to avoid, to the extent possible, executive/legislative branch collision over this aspect of foreign policy and to encourage the development of a foreign policy decision on this question that can be sustained over the long term.

The Committee chose to recommend adoption of H.R. 4276 based on the decision that its requirements were appropriate despite the nature of its restrictions on possible Presidential covert action options. All Members of the Committee support the capability of the President to conduct covert action operations. Members recognized that proscribing that capability with respect to a specific country for a specific time is a serious decision not to be taken lightly.

At the same time, the Committee is mindful of the conclusions of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (the Church Committee). The Church Committee concluded "There are two principle criteria which determine the minimum success of paramilitary operations: (1) achievement of the policy goals; and (2) maintenance of deniability. If the first is not accomplished, the operation is a failure in any case; if the second is not accomplished, the paramilitary option offers few if any advantages over the option of overt military intervention." (Final report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Senate Report No. 94-755, Book I, Page 155.) The Committee would add a

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third criterion for judging the success of paramilitary operations: the long term political sustainability of the program.

The Committee has carefully reviewed the nature and implications of a possible U.S. commitment to support UNITA. It has determined that this decision is an important foreign policy decision because it raises serious and substantive foreign policy issues concerning U.S. relations with black African nations, the future of U.S.-brokered negotiations to secure the independence of Namibia, the role and interests of the Soviet Union in southern Africa, relations between South Africa and its black African neighbors, possible linkage of the United States with South Africa by assistance to UNITA, the presence of Cuban troops in Angola, U.S. economic interests in Angola, superpower conflict in Angola, and many others.

The Committee has also determined that the question of assistance to UNITA is a matter of significant public debate and some disagreement. To this debate have contributed the President, the Vice President, the Assistant Secretary of State for African Affairs, and a range of other important Administration officials, both on and off the record. Pledges of assistance to UNITA by the President can be found in his November 23, 1985 statement to the *New York Times* and in his State of the Union address to the Congress on February 4, 1986. Public statements by other Administration officials appear to confirm that assistance will be provided as well as the specifics of that aid. These statements contribute to the public debate on the issue, and have helped give rise, for example, to public announcements of support or opposition to aid to UNITA by nearly half of the Members of the House of Representatives.

Under such circumstances, the Committee opposes the use of Presidential covert action authority to authorize a covert policy of support to UNITA because, in effect, such a program would not be covert, and because such use would effectively bypass the role of Congress in debating significant foreign policy decisions. As the Committee views it, covert action authority exists so that the President may initiate covert programs of assistance to supplement and support overt U.S. foreign policy positions and programs. That authority, however, should not be used to fund covert action programs where vigorous public debate marked by disagreement is ongoing-debate sparked in part by Administration statements.

The Committee is further of the view that, although the President must initiate and manage foreign policy, he cannot expect to sustain support for foreign policy initiatives, including covert action operations, that are generally unpopular or when a covert action mechanism can be viewed as having been chosen to avoid public debate or a Congressional vote on the matter. The Committee is opposed to the use of covert action capabilities in such cases because they undermine support for other covert actions and because they virtually guarantee that such programs cannot remain covert under any reasonable interpretation of that term.

After weighing the nature of public debate on the question of aid to UNITA and the importance of the decision which such aid would represent, the Committee is of the view that H.R. 4276 should be considered by the House as a means of bringing before the Congress the important and necessary question of whether potential U.S. assistance to UNITA should be the proper policy of the United

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States and, if so, whether it can be sustained. The Committee believes that the experience of the last 15 years shows that controversial foreign policies of the United States, when subjected to the full light of public debate, can be endorsed and sustained by the Congress, but that there is a low success rate for controversial programs begun as covert action which later become known to the public.

To repeat, the Committee is not opposed to covert actions. It has supported, both politically and financially, a full covert action capability for the President. It supports a number of covert action operations throughout the world. Nor does it conclude that all paramilitary covert actions must be submitted to a vote or that paramilitary covert actions cannot, under any circumstances, remain covert or be successful. Yet, when advance planning for a possible covert action appears to have been conducted via political speeches and in the press, the Committee does not consider that the possibilities for such a possible program remaining covert are at all strong.

Many of the Members of the Committee supporting the decision of the Committee to approve H.R. 4276 oppose assistance to UNITA on substantive grounds. Others do not. All these Members are agreed, however, that H.R. 4276 will require a Congressional decision with regard to potential assistance to UNITA that will be a positive contribution to the foreign policy process.

SECTION-BY-SECTION ANALYSIS

Section 1 expresses the sense of Congress that the U.S. Government should not provide support to military or paramilitary operations in Angola unless that support is the openly acknowledged policy of the United States. Specifically, it is the sense of Congress that the U.S. Government should not provide such support until the President has publicly informed the Congress and the American people that U.S. Government support for military or paramilitary operations in Angola is important to the national security and the Congress has publicly approved such support.

Section 2(a) provides that during Fiscal Years 1986 and 1987, an element of the U.S. Government may obligate or expend funds to conduct, directly or indirectly, military or paramilitary operations in Angola, or provide any financial, material, or other assistance, directly or indirectly, to any group engaged in military or paramilitary operations in Angola, only if the use of funds for that purpose is the openly acknowledged policy of the U.S. Government, as determined in accordance with subsection 2(b). Thus, Section 2(a) would prohibit the conduct of military or paramilitary operations in Angola by any element of the U.S. Government (except as provided in Section 2(c)) or the provision of any assistance to any group which itself engages in military or paramilitary operations in Angola.

In restricting the obligations and expenditure of funds, the Committee means to prohibit even the imputed pro-rata share of any salaries of other general or support costs which would be incurred in any activity related to either the conduct of, or support to any group involved in, military or paramilitary operations in Angola.

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Use of the phrase "directly or indirectly" is meant to preclude the use of surrogates, indirect funding, intermediaries, etc., in either conducting or providing assistance to a group conducting military or paramilitary operations in Angola.

Section 2(b) provides the means by which funds available to the U.S. Government in Fiscal Years 1986 and 1987 may be authorized to support military or paramilitary operations in Angola. First, the President must make a determination that support for military or paramilitary operations in Angola is important to the national security and must submit a public notification of his determination to the Speaker of the House of Representatives and the President of the Senate, along with a request that the Congress approve openly acknowledged U.S. Government support for such operations. This does not mean that all details of such U.S. support must be made public but that the President's determination, such reasons as he may wish to advance in support of that determination, and his request be provided to the Congress in a public fashion. If the President has made his request, then Section 2(b)(2) states that such support can be provided only if the Congress has enacted a joint resolution approving U.S. Government support for military or paramilitary operations in Angola and only to the extent permitted by that joint resolution. This latter condition allows for the possibility that Congress may provide assistance in a different fashion or under different conditions than those proposed by the President.

Section 2(c) states that the prohibitions of Section 2, do not apply to U.S. diplomatic activities. These would include those ongoing U.S. diplomatic efforts to secure the independence of Namibia.

Section 2 would also not preclude activities of the United States Armed Forces which are reported to the Congress pursuant to Section 4(a) of the War Powers Resolution. This exception applies to the full range of possibilities contemplated by Section 4(a) of the War Powers Resolution, but only if a report has been submitted to the Congress by the President, as required by the War Powers Resolution. Under such circumstances, H.R. 4276 provides no bar to the use of U.S. Armed Forces for possible action such as the evacuation of U.S. nationals or other rescue missions or actions where the President determines that the dispatch of U.S. Armed Forces is necessary. This subsection does not constitute authorization for such activities, but does not bar them. The subsection seeks to reinforce the terms and conditions of the War Powers Resolution.

Subsection 2(c)(3) provides that no assistance provided by the United States through the U.N. High Commissioner for Refugees or the International Committee of the Red Cross is prohibited by H.R. 4276. Thus, any funding provided by the United States Government to such institutions may continue to be provided to refugees, displaced persons, etc. under the same terms and conditions as those under which such assistance is now provided.

Subsection 2(d) provides that the requirements of Section 2 may not be waived under the authority of any other provision of law and that Section 2 supersedes any provision of law which might otherwise be construed to allow funds to be used for the purposes described in Section 2. Thus, the National Security Act of 1947, the Central Intelligence Agency Act of 1949, or any other statute previ-

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ously enacted that contains an automatic statutory waiver may not be employed to avoid the proscription of Section 2. Only subsequent enactment of a specific statutory exclusion would bypass the provisions of Section 2.

COMMITTEE POSITION

On March 18, 1986, the Permanent Select Committee on Intelligence, a quorum being present, ordered H.R. 4276 reported by a recorded vote of 10 to 6.

OVERSIGHT FINDINGS

With respect to Clause 2(l)(3)(A) of Rule XI of the House of Representatives, the Committee's findings and recommendations concerning H.R. 4276 are contained in the body of this report.

FISCAL YEAR COST PROJECTIONS

With respect to Clause 2(l)(3)(B) of Rule XI of the House of Representatives and Section 308(a) of the Congressional Budget Act of 1974, the recommendation of the Committee would not have the effect of providing new budget authority or tax expenditures.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

With respect to Clause 2(l)(3)(C) of Rule XI of the House of Representatives, the Committee has not received a report from the Director of the Congressional Budget Office.

RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

With respect to Clause 2(l)(3)(D) of Rule XI of the House of Representatives, the Committee has not received a report from the Committee on Government Operations pertaining to the subject of this resolution.

INFLATION IMPACT STATEMENT

With respect to Clause 2(l)(4) of Rule XI of the House of Representatives, the recommendation of the Committee would not have an inflationary impact.

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DISSENTING VIEWS OF REPRESENTATIVES STUMP, IRELAND, HYDE, CHENEY, LIVINGSTON, AND McEWEN

We resolutely oppose H.R. 4276 as a dangerous restriction on the ability of the United States to engage in effective action in Angola in support of U.S. foreign policy objectives. The majority of the Committee's recommendation to the House to adopt a country-specific restriction on the conduct of a particular type of covert action demonstrates a lack of will in facing up to Soviet exploitation of regional military, political, economic and social forces to advance Soviet interests. Under H.R. 4276, the President would lack authority to conduct covert actions in Angola if they involved support of paramilitary operations, eliminating his ability to conduct such actions when he determines that it is important to the national security. The United States Government would cease to possess the legal authority which would be necessary to conduct a covert action to support the freedom fighters of the National Union for the Total Independence of Angola (UNITA).

THE MAJORITY'S BILL UNDULY CONSTRAINS U.S. OPTIONS

The Committee majority's bill places restrictions on the authority of the President which depart markedly from the carefully designed statutory process for Congressional oversight of intelligence activities. Achievement of United States foreign policy objectives abroad often depends upon the ability of the President to conduct activities in support of such objectives without official public acknowledgment of them. The Executive Branch secretly gives notice of these activities, commonly called covert actions, before they commence, to the House and Senate intelligence committees or, in the extraordinary circumstances, to a House and Senate leadership group only. The intelligence committees oversee covert actions and produce legislation annually to authorize appropriations for continuation of such actions. Similarly, the appropriations committees produce legislation annually to appropriate funds for continuation of such actions. The Congress enjoys full authority to oversee covert actions and the ability, through exercising the power of the purse, to modify or to terminate such actions should it ever become necessary to do so. The statutory system for Congressional oversight of intelligence activities, including covert actions, preserves both the secrecy necessary to the success of such activities and the powers of the Congress to oversee such activities effectively. Both the Executive Branch and the intelligence committees understand, or at least ought to understand, that, to ensure the success of covert actions and of the diplomatic activities of the United States which those actions support, they can neither confirm nor deny publicly the existence or nonexistence of any particular alleged

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covert action (and, of course, nothing in these views does so with respect to Angola or any other country).

The Committee majority's bill would renounce absolutely, regardless of what the future might hold, the possibility of a United States covert action to support freedom fighters in Angola. The bill would prohibit United States Government obligation or expenditure of funds to support military or paramilitary operations in Angola or to provide any assistance to any group engaged in such operations unless:

(1) use of funds for that purpose is the U.S. Government's openly acknowledged policy;

(2) the President determines that such support is important to the national security;

(3) the President requests that the Congress approve openly acknowledged U.S. support; and

(4) the Congress enacts a joint resolution approving support to the extent specified by the joint resolution.

The bill would eliminate the covert action option for support to freedom fighters in Angola. The legislation would prohibit the United States from supporting UNITA unless the U.S. announced it to the world and conducted an open Congressional debate. The United States would lose an option which might prove essential in meeting the Communist challenge in Angola.

The Committee majority's action in recommending H.R. 4276 favorably to the House reinforces a naive assumption that the United States can conduct all aspects of its foreign policy in public, ignores the harsh realities of interstate conflict in the world today, and does a disservice to the American people. Support for example that H.R. 4276 became law and the President—whether the current President or a future President—found it necessary to provide support for UNITA activities in Angola. Perhaps for diplomatic or political reasons UNITA would not desire to receive U.S. aid openly; perhaps countries willing to help the U.S. in a quiet action to aid UNITA would not be willing to help in an action the U.S. announced publicly; and perhaps the Cuban and Soviet governments which have deployed armed forces in Angola would feel compelled to respond agressively and directly to an action the U.S. announced publicly. In such a situation, the publicity required by H.R. 4276 would decrease the chances for U.S. success in meeting the Communist challenge in Angola and would increase the risks of U.S. efforts. Thus, enactment of H.R. 4276 would damage United States foreign policy and security interests.

THE COMMITTEE'S MAJORITY DOES NOT UNDERSTAND THE NATURE OF SOVIET WARS OF NATIONAL ENSLAVEMENT

The Congress cannot properly deal with the question of United States policy toward Angola independently of other foreign policy questions, as the sponsors of H.R. 4276 ask the House to do. Soviet and Cuban support for the governing Marxist Popular Movement for the Liberation of Angola (MPLA), and the Soviet and Cuban military presence in Angola, do not represent an aberration in Soviet and Cuban international behavior—they represent the norm. The United States faces Communist adventurism in many places, including Afghanistan, Cambodia, Ethiopia, Mozambique, South Yemen, and, most closely to home, Nicaragua. The preemi-

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nent foreign policy question of the decade remains whether the United States will meet this test of its will to advance the interests of freedom in the face of Communist expansion.

American interests require the United States to resist effectively the establishment and expansion of Communism around the globe, but also require that we avoid involvement of the United States Armed Forces in wars which would sap our military and economic strength and political will, and would risk direct East-West military confrontation. To meet Soviet and Cuban military and paramilitary efforts around the world without employing the U.S. Armed Forces, the United States should proceed quietly with measured, sustained support for people around the world willing to fight for their freedom. In a nutshell, the United States should exercise the covert action option to help freedom fighters.

The Soviets and their cohorts believe that the United States cannot muster the national will to resist attacks which come not through the conventional means of traditional warfare, but instead come in the form of insurgencies involving slow and medium intensity conflict engaged in by Soviet proxies. The Communists have known successes through these means—in Angola for example. If the Soviets become more firmly convinced than they already are that the United States lacks the will to resist their efforts to expand Communism through the military and political efforts of their Marxist-Leninist clients, the result will be grave indeed for U.S. interests around the globe. By enacting H.R. 4276, Congress would confirm the Soviets' belief that the U.S. lacks the will to resist.

The Committee should be working with the President to ensure a measured, comprehensive and effective response to the Soviet expansion strategy for the Third World. Instead, a majority of the Committee spends its time seeking to thwart development of such a response. In our view, with respect to the general issue of covert action to support those who fight for freedom, the Committee has not properly discharged its duties to the House and to the American people.

CONGRESSIONAL FOLLY ALLOWED COMMUNISM TO COME TO POWER IN ANGOLA

The history of Angola in the past decade demonstrates the danger of congressionally imposed prohibitions on covert action to support those fighting for freedom against a Communist regime.

In 1975, Portugal announced that it would grant independence to Angola. Portugal and three groups which had for years sought Angolan independence (the Marxist MPLA, UNITA, and the National Front for the Liberation of Angola (FNLA)) reached an accord, known as the Alvor Agreement, to establish an interim government, in which all three groups would participate, to draft a constitution and to prepare and hold elections. The interim governing arrangements broke down.

The MPLA sought and received substantial military aid from the Soviet Union and Cuba. In the latter part of 1975, Cuba sent combat troops to Angola to support the MPLA. According to press reports at the time, the United States provided support covertly to Angolan groups opposing the MPLA. The MPLA achieved a number of military successes and controlled the Angolan capital, Luanda, when the Portuguese departed Angola in November, 1975.

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The MPLA proclaimed itself the government of a new People's Republic of Angola and welcomed approximately 400 Soviet advisors and an estimated 4,000 Cuban combat personnel before the year was out. As press reports in the United States spoke of a covert program to support anti-Communist groups in Angola, the Congress—in a fit of post-Vietnam, post-Watergate pique—attached to the Department of Defense Appropriations Act, 1976 (P.L. 94-212) a provision prohibiting any such U.S. support during Fiscal Year 1976 (the "Tunney Amendment"). Thereafter, Congress enacted a permanent prohibition against U.S. support for groups in Angola as Section 118 of the International Security and Arms Export Control Act of 1976 (P.L. 94-329) (the "Clark Amendment"). While Congress spent its time hobbling President Ford's ability to meet the Communist challenge in Angola, the MPLA set about consolidating its hold on power.

The Carter Administration attempted rather naively to reconcile with the MPLA, citing as its objectives exploitation of commercial opportunities for U.S. business and use of positive incentives for the MPLA to decrease its reliance on the Soviet Union and Cuba. While the Carter Administration used whatever persuasive skills it possessed on the MPLA, the number of Cuban combat troops in Angola grew to approximately 20,000. In 1980, Congress made minor procedural adjustments in the Clark Amendment, but left in force the prohibition on U.S. aid to Angola opposition groups.

The Marxist MPLA government of Angola, whose safety and survival the Congress guaranteed with the Clark Amendment, developed ever more close military and political ties with the Soviet Union and Cuba. Today approximately 30,000 Cuban combat troops support the MPLA government in Angola, and Soviet, Cuban, and East German advisors fill important roles in support of the Angolan government.

Despite the repressive military efforts of the MPLA regime, UNITA survived the decade as an effective resistance group in opposition to the MPLA. Under the leadership of Dr. Jonas Savimbi, UNITA's strength has grown to encompass about 40,000 people, many under arms. The UNITA organization controls a substantial portion of Angolan territory and carries out civil government functions in that territory in addition to military operations in resistance to the MPLA.

In August 1985, the Congress repealed the Clark Amendment by Section 811 of the International Security and Development Cooperation Act of 1985 (P.L. 99-83). In September 1985, the MPLA began a major offensive against UNITA. During the latter part of 1985 public and congressional debate in the Untied States focused on whether to provide aid to support UNITA, which the repeal of the Clark Amendment made possible.

We believe that the United States should provide to UNITA full diplomatic, economic, and arms support through the means that will best contribute to achievement of U.S. foreign policy objectives in the region.

IF THE HOUSE MUST ACT PUBLICLY REASONABLE ALTERNATIVES EXIST

Although proper and effective mechanisms already exist within the House for handling both open and covert aspects of U.S. for-

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eign policy, the Committee's majority in recommending H.R. 4276 to the House apparently believes that the House should establish a formal policy position of its own with respect to Angola. If the House insists upon taking this step, it should adopt a reasonable alternative to H.R. 4276.

When the Committee marked up H.R. 4276 on March 18, 1986, we offered an amendment in the nature of a substitute to H.R. 4276 as follows:

> Strike all after the enacting clause and insert in lieu of the matter stricken:
>
> "That it is the sense of the Congress that—
>
> "(1) the legitimate aspirations of the people of Angola to self-determination and democratic self-governance free of Soviet-Cuban influence deserve the support of the United States;
>
> "(2) the National Union for the Total Independence of Angola (UNITA) is a legitimate participant in the political life of Angola;
>
> "(3) the Marxist Popular Movement for the Liberation of Angola (MPLA) has violated the rights of the people of Angola through its illegal seizure of power and repression of the people and has compromised the sovereignty of Angola by supporting the introduction of large numbers of Cuban and Soviet forces into Angola;
>
> "(4) the MPLA should agree promptly to a process of meaningful negotiations which will—
>
> "(A) include UNITA;
>
> "(B) end the presence of Cuban and Soviet forces in Angola;
>
> "(C) result in national reconciliation within Angola, with a view toward establishment of a freely-elected democratic government which guarantees the fundamental freedoms of the people of Angola; and
>
> "(D) facilitate the independence of Namibia; and
>
> "(5) the growing intensity of the conflict in Angola, the suffering of the people of Angola, the presence of Cuban and Soviet forces in Angola, and the failure of the MPLA to respond to diplomatic initiatives have given new urgency to efforts to deal effectively with the Angolan situation; and
>
> "(6) to promote a negotiated just, lasting and verifiable solution, including withdrawal of Cuban and Soviet forces, the President should provide assistance to UNITA.
>
> "SEC. 2. Nothing in this Act shall be construed to supersede the provisions of Title V of the National Security Act of 1947 or of the War Powers Resolution, nor shall this Act be construed to authorize any activity not otherwise authorized by the Constitution and laws of the United States."

If Congress wishes to go on record on U.S. policy toward Angola, it should state clearly that it supports freedom in Angola; that

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UNITA is a legitimate participant in Angolan political life; that the MPLA illegally seized power, represses Angolans, and supports the Cuban and Soviet force presence; and that the MPLA should negotiate with appropriate parties including UNITA toward the goals of withdrawal of Cuban and Soviet forces, reconciliation within Angola, and independence for Namibia. These principles should guide all aspects of U.S. policy on Angola.

Most importantly, the Congress should express its support for an effective policy for achieving U.S. goals in Angola. The Congress should express its sense that the President should provide assistance to UNITA to facilitate a negotiated fair solution to the Angolan conflict, including withdrawal of Cuban and Soviet forces. Without the support of the United States, UNITA may not survive the expected renewed MPLA Government offensive as an effective participant in Angolan affairs, and the possibility for a satisfactory diplomatic solution will disappear if UNITA diappears.

The Amendment in the Nature of a Substitute which we offered provides the Congress with the opportunity to make policy statements which support an effective response to Soviet-Cuban activities in Angola. The Amendment does not give legal approval for a covert action or any other action; it merely expresses the sense of the Congress.

The Committee defeated the Amendment in the Nature of a Substitute by a vote of 6 in favor to 10 opposed. In the event that the House should take up H.R. 4276 for consideration—which we hope does not occur—the House should consider our Amendment in the Nature of a Substitute as a reasonable alternative to H.R. 4276 as reported by the Committee.

CONCLUSION: DON'T MAKE THE SAME MISTAKES TWICE

We ask our colleagues in the House not to repeat the mistakes of the past.

A decade ago, the one-year Tunney Amendment and the permanent Clark Amendment prohibited U.S. support for freedom fighters in Angola and permitted the Communists to seize power in Angola and work to consolidate their power. Just eight months ago, the Congress had the wisdom to repeal the Clark Amendment, recognizing that the restriction hobbled the President's efforts to achieve a just solution for the problems of the region.

Essentially, H.R. 4276 is just the Clark Amendment all over again. We urge the Congress not to repeat—by enacting H.R. 4276—the mistake it made a decade ago with the Clark Amendment. The Son-of-Clark Amendment (H.R. 4276) is every bit as ill-advised and dangerous as its father.

BOB STUMP.
ANDY IRELAND.
HENRY J. HYDE.
DICK CHENEY.
BOB LIVINGSTON.
BOB MCEWEN.

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